



OFFICE OF THE SPEAKER

March 22, 2005

Kevin J. Martin, Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Mr. Martin,

I strongly urge the Federal Communications Commission to investigate whether any laws were broken when California broadcasters aired mock news videos - provided to them by Governor Arnold Schwarzenegger's Administration - without disclosing that the state government was the source of the information.

In particular, the California State Labor and Workforce Development Agency produced a mock news video extolling the virtues of a Schwarzenegger Administration proposal to end mandatory lunch breaks for hourly wage earners. This mock news video was made available to the media during the regulatory hearing process where public input is sought for rule changes.

Newspapers across California called this mock news video a "propaganda piece" because it included a prewritten script for a news anchor, a state employee's (also a former reporter) narrative discussing the proposed changes and "interviews" with supporters of the proposed changes.

There were no interviews with opponents of the proposed legislation. And, more importantly, there was no audio or video disclaimer in the piece itself that indicated its origin. Consequently, several California television stations aired the mock news video, or portions of it, without disclosing this critical information to viewers.

This mock news video lacks the balance a legitimate news report would have when discussing an important, and controversial, regulatory change affecting thousands of California companies and millions of California workers.

The Government Accountability Office, the investigative arm of Congress, recently determined that mock news videos could amount to illegal "covert propaganda" if stations failed to clearly state the source of the information. I believe the GAO ruling might also apply in this situation.

We urge your commission to scrutinize California television stations and their use of these mock news videos without disclosing their origin to TV viewers. And we urge your commission to clarify when and if the production and distribution of taxpayer-funded mock news videos to broadcast television stations is acceptable and/ or legal.

We must do all we can to ensure government agencies and television stations disclose relevant information with regard to news items, particularly when taxpayer dollars are used to fund such “propaganda”.

Your commission has an obligation to the people of the United States of America to fully investigate issues of this magnitude. The disclosure of information about governmental activities and actions ensures an open and democratic society, free from government propaganda.

I also want to applaud Senator Daniel Inouye of Hawaii for bringing this critical issue to the attention of your Commission. We must ensure that federal laws are not broken.

Additionally, please note that the California State Legislature is investigating the fiscal elements of this matter as they relate the potential misappropriation of taxpayer funds for a partisan, political purpose. I look forward to your reply and would be happy to work with your commission in whatever way I can to ensure federal laws pertaining to broadcast communications are followed in the State of California.

Sincerely,
Fabian Núñez
CALIFORNIA STATE ASSEMBLY SPEAKER